

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

QASIR ALI MUKHTAR,

Petitioner,

vs.

UNITED STATES OF AMERICA, et al.,

Respondents.

Case No. 2:14-cv-01441-RFB-CWH

ORDER

Petitioner has filed a motion for leave to file plaintiff's first amended complaint for declaratory relief (#13). Petitioner alleges that he is no longer in the custody of the Department of Homeland Security, and thus he wishes to change this habeas corpus action into an action for declaratory or injunctive relief. Respondents have not filed an opposition, and the court grants the motion.

IT IS THEREFORE ORDERED that petitioner's motion for leave to file plaintiff's first amended complaint for declaratory relief (#13) is **GRANTED**. Petitioner shall have fourteen (14) days from the date of entry of this order to file and serve the first amended complaint and supporting exhibits. An answer or other response shall then be due in accordance with Rule 12(a)(2) of the Federal Rules of Civil Procedure. Petitioner remains responsible for ensuring that all defendants are served properly.

IT IS FURTHER ORDERED that petitioner also shall have fourteen (14) days from the date of entry of this order to pay the balance of the \$400.00 filing fee. Failure to comply shall be grounds for the dismissal of this action.

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1 **IT IS FURTHER ORDERED** that the clerk of the court shall change the nature of suit for this
2 action to 465—Other Immigration Actions.

3 DATED: June 29, 2015.

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RICHARD F. BOULWARE, II
United States District Judge